

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF OREGON**

In re
EUGENE T ALWINE
BOBBIE L ALWINE

) Case No. 309-39313-rld13
)
) Confirmation Hearing Date: Jan 28, 2010
)
) TRUSTEE'S OBJECTION TO
) CONFIRMATION; AND
) MOTION(S) THEREON

Debtor(s)

THE TRUSTEE:

1. Objects to confirmation for the reason(s) marked below:

_____ a. Attorney fees sought are excessive:

_____ b. Case not filed in good faith/Plan not proposed in good faith:

 X c. Plan is not feasible: **As written the Plan will require approximately 63 months to meet the best interest of the creditors.**

_____ d. Plan does not commit all of the debtor's excess projected disposable income pursuant to §1325(b)(1)(B) for the applicable commitment period:

_____ e. Plan does not meet best interest test:

 X f. Filing/ documentation deficient: **as requested at the §341(a) hearing, please provide the Trustee with a copy of the debtor's Bank Statements listed on Schedule B that includes the filing date.**

 X g. Other: **as requested at the §341(a) hearing, please make the following changes to the Plan:**

1. ¶2(b)(1) strike "AAFA=all available funds after attorneys fees" and replace with "AAFA=all available funds after";
and
2. ¶2(g) should be \$5,989.00.

2. If, not less than 10 days prior to the confirmation hearing, the debtor fails to take all necessary steps to satisfy each objection marked above (e.g., file an amended plan using LBF #1355.05, file all documentation noted in 1.f., etc.), the trustee must promptly file this document. If this document is filed, the trustee moves the court for an order per the section(s) marked below:

_____ a. Move that the debtor's attorney's fee request be modified as follows:
and/or

 X b. (If any section other than 1.a. is marked above) move that the case be dismissed without further notice.

3. Certifies a copy of this document was served on the debtor and debtor's attorney, if any, by hand at the first meeting of creditors on N/A , or by mail on **December 23, 2009.**

DATED: December 23, 2009

/s/ Brian D. Lynch
Trustee

TODD TRIERWEILER

1350.70 (06/24/97)(jt)